

REMARKS

Claims 1-10 and 12-14 are currently pending in this application. Claims 1-3, 10 and 13-14 have been amended. Claim 11 has been cancelled. Claims 1-3 and 13-14 are independent. No new matter has been introduced.

DOUBLE PATENTING REJECTION

The Examiner has provisionally rejected claims 1-14 under 35 U.S.C. § 101 over copending Application No. 10/789,292. Applicants respectfully assert this rejection is rendered moot by virtue of the amendments made to independent claims 1-3 and 13-14.

ALLOWABLE SUBJECT MATTER

The Examiner is thanked for his indication that claims 6, 8 and 9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-5, 7 and 10-14 are rejected under 35 U.S.C. § 102(B) as being anticipated by either of Oshima et al. (U.S. Patent 6,266,299) or Nakajima et al. (U.S. Patent Publication No. 2002/0001274). Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants respectfully submit that example embodiments of the present invention are directed to a recording medium, a method of forming a recording medium, a method of reproducing data from a recording medium, a method of recording data on a recording medium, an apparatus for reproducing data from a recording medium, each of which may utilize disk identification information identifying the type of recording medium. In example embodiments

of the present invention, the disk identification information is recorded in an area preceding a lead-in area and the type of recording medium includes at least one of a ROM, recordable, and rewritable types.

Oshima et al. discloses that each disk has an allocated unique ID, recorded in the lead-in area. As a result, Oshima fails to teach or suggest disk identification information in an area preceding a lead-in area, which identifies the type of recording medium as one of a ROM, recordable, and rewritable type.

Similarly, Nakajima et al. discloses disk information written in a lead-in area. As a result, Nakajima fails to teach or suggest disk identification information in an area preceding a lead-in area.

Applicants respectfully submit that writing disk identification information in an area preceding a lead-in area may improve data reliability in the event that data in a control data area is damaged. Applicants respectfully submit that identifying the type of recording medium as one of ROM, recordable, and rewritable types, permits reproduction control, based on disk type and comparison of inherent data formats according to disk type, without the additional input of a key.

In view of the above amendments and remarks, reconsideration and withdrawal of the rejections based on Oshima et al. and Nakajima et al. is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-10 and 12-14 in connection with the present application is earnestly solicited.

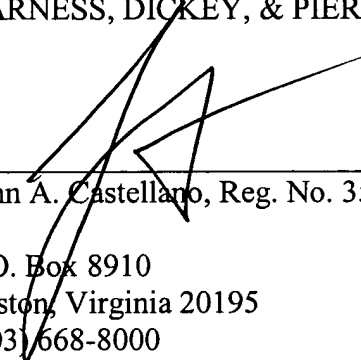
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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